



December 9, 2021

Messrs.

Working Group on the issue of human rights and
transnational corporations and other business
enterprises

Special Rapporteur on the situation of human rights
defenders

Special Rapporteur on the rights of indigenous
peoples

Working Group on the use of mercenaries as a
means of violating human rights and impeding the
exercise of the right of peoples to self-determination

Special Rapporteur on the human rights to safe
drinking water and sanitation,

REFERENCE: AL OTH 213/2021

GeoPark is pleased to address you about Communication 213/2021 addressed to GeoPark, the States of Colombia and Chile, and the United Nations Development Programme (UNDP). The Communication refers to the Company's operations in Putumayo, Colombia, and requests additional information.

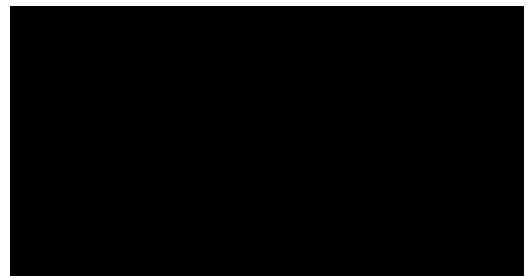
GeoPark is a company that is committed to the respect and promotion of human rights in all its operations. Furthermore, it has a systematic relationship with all stakeholders, including multilateral organizations, based on respect and trust. It, therefore, appreciates the opportunity to provide information about the Company and respond to the concerns raised in the Communication.



The Communication refers to events alleged to have taken place as part of the operations of Amerisur in Putumayo. Note that Amerisur was acquired by GeoPark in January 2020. Therefore, GeoPark will provide the information, facts, and evidence it has on Amerisur's operations, obtained as part of the acquisition of Amerisur. This will allow GeoPark to give its version of the information received by the Rapporteurs, which does not depict an accurate picture, and presents an image of GeoPark that does not match its values and commitments, the facts on the ground, or the vision of a very wide group of stakeholders. Responses to the requests to GeoPark for information will be made throughout the presentation given the interrelation of the various issues raised in the Communication.

GeoPark operates under a public commitment to fully respect human rights, and permanently performs due diligence processes to identify, avoid or mitigate potential environmental and human rights impacts. We therefore communicate our willingness to open a dialogue with each of you and the Office of the High Commissioner, to discuss the issues raised by this Communication, as well as others that may be of interest to you and the Company. We, furthermore, invite you to visit our operations in Colombia. In this regard, we take the opportunity to introduce our internal human rights specialist, [REDACTED], who can be contacted directly at [REDACTED]. The specialist will be contacting you soon to seek such opportunities for dialogue.

Sincerely:





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Index of Terms

- **Amerisur:** The operator of Blocks PUT-12 and PUT-9 in the Department of Putumayo in Colombia, between 2012 and January 2020, at which time it was acquired by GeoPark.
- **ANH - National Hydrocarbons Agency:** The Colombian Government agency, dependent on the Ministry of Mines and Energy, that has responsibility for managing and regulating oil and gas resources of the nation.
- **ANLA - National Environmental Licensing Authority:** The entity in charge of ensuring that projects, works, or activities subject to environmental licensing, permits or procedures comply with environmental regulations.
- **Attorney General's Office:** The entity in charge of investigating and prosecuting criminal conduct
- **Block PUT-12:** An area awarded by the ANH to Amerisur for the development of subsoil hydrocarbons exploration and production activities. It is located in the municipality of Puerto Asís, Department of Putumayo. It is in the hydrocarbon exploration phase. GeoPark has asked the ANH to terminate the hydrocarbon exploration and production contract on this block.
- **Block PUT-9:** An area awarded by the ANH to Amerisur for the development of subsoil hydrocarbons exploration and production activities. It is located in the municipality of Puerto Asís, Department of Putumayo. It is in the hydrocarbon exploration phase and is currently suspended.
- **Buenavista Reservation:** An indigenous reservation in Colombia located in the municipality of Puerto Asís, Putumayo, belonging to the Siona ethnic group.
- **Code of Ethics and Compliance Program:** A GeoPark code of conduct that establishes the responsibility to strictly comply with all anti-bribery and anti-corruption treaties and laws, both in the countries we operate in and internationally.
- **Commitment to Equality, Inclusion and Diversity:** A GeoPark strategy aimed at Company employees. It was developed by the company's Senior Management and endorsed by the Equality, Inclusion and Diversity Committee.
- **Compliance Program:** A program that establishes GeoPark's responsibility to strictly comply with all anti-bribery and anti-corruption treaties and laws, both in the countries we operate in and internationally.



- **Comprehensive policy of commitment to human rights:** A GeoPark strategy focused on the promotion of and respect for human rights.
- **Corpoamazonia - Autonomous Corporation for the Sustainable Development of the Southern Amazon:** The environmental authority of the Amazon Region, Putumayo and Caquetá.
- **Cuéntame:** GeoPark's grievance mechanism, which allows for a timely response and an adequate treatment of issues, inquiries, concerns, requests, and potential impacts raised by GeoPark's neighbours (especially, but not limited to, peasants and indigenous communities), and which allows the Company to ensure continuous improvement.
- **Environmental License:** An authorization granted by the competent environmental authority for the execution of a project or activity, as a product of a process used for the planning and administration of projects that ensures that human and economic activities conform to ecological and resource limitations.
- **Equipares Awards Certification Program:** A program that consists of acknowledging the companies and organizations that correctly implement the Gender Equality Management System (SGIG) promoted by the Ministry of Labor of Colombia with technical advice from the UNDP.
- **Ethics Line:** A channel to report irregularities, conduct contrary to the values of GeoPark, or make inquiries about these matters.
- **FIP - Fundación Ideas Para la Paz:** A non-governmental organization whose mission is to generate knowledge, propose initiatives, develop practices, and support processes to contribute towards the construction of a stable and lasting peace in Colombia.
- **Human Rights Management Business Model:** A model focused on the comprehensive improvement in the management of human rights issues by GeoPark, and especially in improving human rights policy, internal due diligence processes. and remediation mechanisms.
- **ICAs - Environmental Compliance Reports:** Instruments focused on prevention, monitoring and control of the environmental management implemented by environmental license beneficiaries.
- **Institute of Hydrology, Meteorology and Environmental Studies:** A public institution that provides technical and scientific support to the National Environmental System, and which generates knowledge; produces reliable, consistent, and timely information on the state and dynamics of natural resources and the environment; and facilitates the definition



and adjustments of environmental policies and decision-making by the public sector, private sector, and citizens in general.

- **Ombudsman's Office:** The entity of the Colombian State responsible for promoting, protecting and disseminating human rights of the inhabitants of the country and Colombians abroad.
- **Platanillo Block:** An area awarded by the ANH to Amerisur for the development of subsoil hydrocarbons exploration and production activities. It is located in the municipality of Puerto Asís, Department of Putumayo. The Project has an Environmental License granted by the Environmental Authority through Resolution 2531 of December 17, 2009. It is in the production phase.
- **Santa Cruz de Piñuña Blanco Reservation:** An indigenous reservation in Colombia located in the municipality of Puerto Asís, Putumayo, belonging to the Siona ethnic group.
- **SPEED:** GeoPark's Integrated Values System that summarizes five commitments and guides the performance of managers and collaborators in five critical areas: Safety, Prosperity, Employees, Environment, and Community Development.



§ SECTION ONE. INTRODUCTION TO GEOPARK AND ITS PRESENTATION TO THE SPECIAL PROCEDURES

1. GEO PARK'S PRESENTATION TO THE SPECIAL PROCEDURES

1. Communication AL OTH 213/2021 expressly names GeoPark (hereinafter, also the “Company”) and presents information that attributes facts and severe human rights impacts on the Company, without considering Company information, and without presenting documentation to substantiate the allegations. There was no opportunity to present information nor was there a process to allow GeoPark to defend its position or question the veracity of the information on which the Communication was based, as provided for in the operations manual of the Special Procedures. GeoPark is, however, confident regarding the impartiality of this type of procedure, and appreciates the opportunity to contrast this information.

2. The Communication contains requests for information that assume violations and severe impacts on human rights, especially Amerisur’s relationship with illegal armed groups. These inferences are emphatically rejected. GeoPark nonetheless responds in good faith, providing information that it hopes will answer the concerns of the Special Procedures, reiterating its willingness and interest to meet with them and inviting them to visit the operations.

3. In the first instance, this presentation refers to introductory aspects about GeoPark and its human rights practices in general. The context of Putumayo is then explained. Information is then provided on the operations in Putumayo of Amerisur, the company that operated the blocks in question for practically all the time to which the facts refer. Here answers will be given to each of the points raised in the Communication. From January 2020, when GeoPark acquired Amerisur,



each company's actions will be differentiated depending on the moments at which alleged events occurred. Information about the alleged facts involving Amerisur is provided based on the internal investigation and due diligence process carried out as part of its acquisition process, thus showing, with facts and evidence, that Amerisur operated the blocks in question in compliance with the law and with respect for human rights. Finally, reference will be made to the agreement between GeoPark and UNDP, the United Nations Development Program.

2. THE GEOPARK COMPANY

4. GeoPark is a Latin American oil and gas exploration and production company founded in 2002, with nearly 450 direct employees and 43 operated and non-operated blocks in Colombia, Ecuador, Chile, Brazil, and Argentina. GeoPark has been listed on the New York Stock Exchange since 2014, and all its employees are shareholders in the company. GeoPark's partners in its assets include national oil companies, with whom it maintains permanent and open exchange on information and good practices.¹

5. GeoPark started operations in Colombia in 2012 and has become one of the main oil producers thanks to its operational track record, safety standards, and leadership in a relationship model based on trust and transparency with the communities. These good practices have even won awards from the Colombian Government.²

6. Between 2012 and 2020, GeoPark's operations were concentrated in the Eastern Plains basin, in the Casanare department. In January 2020, with the acquisition of Amerisur, GeoPark incorporated 12 blocks located in the Putumayo basin.³ Only Platanillo, one of the 12 blocks, is productive. Of these 12 blocks awarded to Amerisur in the Putumayo basin, GeoPark recently returned two of the blocks in the exploratory stage to the National Hydrocarbons Agency (hereinafter, also "ANH").

7. Among the initiatives carried out in Putumayo by Amerisur is the signing of two agreements in partnership with the Colombian State worth US\$3.98 million for the provision of educational and early childhood centers in nine municipalities of the department, and participation in the Biodiversity and Development initiative for Putumayo, a private sector partnership for the protection and care of the Colombian Amazon.

¹ Ecopetrol from Colombia, YPF from Argentina, Petrobras from Brazil, ENAP from Chile and ONGC Videsh from India.

² The Ministry of Mines and the National Hydrocarbons Agency acknowledge the best social and environmental experiences of mining and energy companies. View information available at <https://www.anh.gov.co/Sala-de-Prensa/Lists/Anuncios/Noticias.aspx?ID=314>. Accessed November 20, 2021.

³ With the purchase of Amerisur Resources, GeoPark also acquired a non-operated stake in the CPO-5 block in the Eastern Plains basin and in the Amerisur Binational Pipeline, an oil export pipeline from Colombia to Ecuador.



3. GEO PARK RESPECTS HUMAN RIGHTS

8. GeoPark is a company that is committed to respecting internationally recognized human rights and has continuous improvement processes for the implementation of the Guiding Principles on Business and Human Rights (hereinafter, also “Guiding Principles”). On this matter, it has a public corporate human rights policy⁴ approved at the highest level of the Company, in which it undertakes to act guided by *“international human rights standards, including the International Bill of Human Rights, the ILO Declaration on Fundamental Principles and Rights at Work, the principles of ILO Convention 169, and the United Nations Guiding Principles on Business and Human Rights.”* This policy is integral to GeoPark’s internal documents and decision-making processes. It lays the foundations for working with respect for the environment and stakeholders, identifying potential negative impacts in advance to mitigate them and enhance positive effects on human rights.

9. GeoPark is aware that this respect requires constant work and continuous improvement of the actions implemented to make its commitment a reality, which is why it has worked with the Fundación Ideas Para la Paz,⁵ a think tank with vast experience in business and human rights. We are working on a human rights risks and impact assessment, an action plan to strengthen human rights management and the Human Rights Management Business Model that GeoPark’s internal human rights specialist will implement. Likewise, with the support of the Fundación Ideas Para la Paz and the internal specialist, communication on these issues with stakeholders will be strengthened.

10. Activities planned for 2022 include implementing the management model and activities to sharing the risks and impact assessment with internal and external stakeholders. Communication will also be strengthened through human rights and human rights policy training for 80% of GeoPark employees and 65% of contractors and service providers. The human rights action plan also includes the implementing a strategy for relations with NGOs, Civil Society Organizations (hereinafter CSOs), multilaterals, government agencies and multi-stakeholder initiatives that strengthen the implementation of the Guiding Principles.

11. GeoPark respects the human rights of neighboring communities. The process of relating to all stakeholders is systematic and constant. The communities in the area of influence of all operations are neighbors of the Company, and their prosperity makes GeoPark committed to the country's development.

12. When GeoPark engages with ethnic and indigenous communities, it complies strictly with prior consultation processes within the framework of national laws and Convention 169 of the

⁴ For more information, visit the Public Declaration on Human Rights Policy, available at <https://www.geo-park.com/sp/business-model/culture/>. Accessed November 20, 2021.

⁵ Ideas for Peace Foundation, website: <https://www.ideaspaz.org>. Accessed November 20, 2021.



International Labour Organization (hereinafter, also “ILO”), as well as a differentiated relationship due to its traditions and customs.

13. The process of acquiring land and easement contracts has been carried out within the framework of the law since the beginning of the operation through field-based land managers. Likewise, in 2021, protocols were updated to make them compatible with the “*Guide for the purchase and acquisition of land rights and right of use*,” a document developed within the framework of the Guías Colombia multi-stakeholder group, that complies with the highest standards in the matter and is aligned with International Finance Corporation Performance Standard No. 5.

14. To respect the right to participation and information of stakeholders and comply with GeoPark’s responsibilities according to the environmental permits and licenses, the Company creates opportunities to socialize operations with communities in the areas of influence and local, regional, and national government agencies. More than 10,000 residents of the areas of operation in Colombia participated in 1,140 meetings in 2020, to share information and expectations about the development of the Company’s activities. These opportunities include exchanging information on social, legal and land issues, and human and environmental rights.

15. The integral and harmonious development of the territory where GeoPark operates creates a dynamic, agile, and prosperous environment both for the communities that live there and the Company, which becomes a partner for regional development. To facilitate this, GeoPark seeks to contribute to the effective enjoyment of human rights through educational, productive, health and environmental plans, and projects that allow us to make progress together in a safe and trusting way. The Company’s total social investment in this type of projects since 2019 is over US\$8 million.

4. GEO PARK PERFORMS DUE DILIGENCE TO IDENTIFY AND PREVENT NEGATIVE HUMAN RIGHTS IMPACTS

16. GeoPark activities are carried out with due diligence through processes and procedures that prevent and mitigate negative impacts of activities on human rights and enhance positive effects. GeoPark also publicly undertakes to repair negative impacts or consequences on human rights responsibly and quickly when the impacts occur because of the direct actions of the Company or any contractor or service provider in the performance of a contract with the Company.

17. In the due diligence processes, GeoPark promotes citizen participation in the environmental and social decision-making of operational projects, integrating neighbors’ considerations and concerns, and respecting their integral well-being and rights to a healthy and clean environment.



18. In all GeoPark operations, early environmental management plans and human rights due diligence are defined, mitigating impacts on nature and communities, and ensuring their successful and responsible development. This process begins with identifying and early analysis of the different social and environmental risks, and their qualitative and quantitative evaluation.

19. The Nature and Neighbors Division is responsible for centralizing the identification of risks as a transversal activity throughout the Company, based on the identification carried out by each area. This includes risks and impacts related to human rights.

20. GeoPark conducts annual risk analyses by block, including environmental, operational, social, financial, legal, human rights, and other issues. Risk assessments are also carried out by each area, and jointly whenever a special project requires a risk assessment. These processes are led by the Nature and Neighbors Division. Finally, vulnerability analyses of each block, including a security review, are made annually. An action plan results from this, and is reviewed and reported, monthly, which may require modifications to the plan depending on the findings.

21. GeoPark understands the importance of verifying and monitoring the effectiveness of measures taken to prevent negative consequences on human rights, according to clear indicators and accounting for the opinion of the parties involved.

22. In addition to the processes of socialization, information, and physical communication with stakeholders, to identify impacts and as part of respect for the process of informed participation, the Company has a grievance mechanism called “Cuéntame”⁶ that can be accessed by (i) email atentosputumayo@amerisurresources.com; (ii) telephone (+57) 320 808098; (iii) a physical office in Putumayo that opened in 2020 at Carrera 18 No.13-32, Barrio Las Américas, Puerto Asís; and (v) through six social professionals in the field, and the attention center in Platform 9.⁷

23. GeoPark created the Cuéntame program in 2018, and since then it has become the way to listen, attend to, manage, and ensure direct and permanent relationship of the Company with the social environment it operates in. It is, furthermore, a mechanism that allows perceived or real impacts and effects on the human rights of stakeholders to be identified, and information to be included in management systems. It also enables the identification of possible impacts of GeoPark contractors and service providers, contributing to the strengthening of management mechanisms on different issues, including the issue of human rights.

24. In 2019, 260 complaints were registered in Putumayo through Cuéntame, of which 238 were closed and 22 are still under analysis. This translates into a 92% effectiveness in closing complaints.⁸ In 2020, 512 requests and complaints were received and managed flexibly, quickly,

⁶ According to the provisions of the Human Rights Council, Resolution 17/4 of 16 June 2011, Guiding Principles on Business and Human Rights, Principle 22.

⁷ GeoPark, Sustainability Report 2020, p. 140, available at https://www.geo-park.com/files/publications/sustainability_speed_esg_report_geopark_2020.pdf. Accessed November 20, 2021.

⁸ GeoPark, Sustainability Report 2019, p 94 available at



and in close contact with neighbors, providing formal responses to the parties involved. Regarding communities in Putumayo, 189 requests and complaints were registered in 2020 and 2021, of which 179 were answered and closed and 10 are still ongoing, giving an effectiveness rate of 94.7%.⁹ As already mentioned, GeoPark is working with the Fundación Ideas para la Paz to improve this mechanism according to the Guiding Principles.

25. The Cuéntame platform has incorporated a series of analysis and registration variables allowing the identification of identical or very similar requests and complaints; requests and complaints about contractor actions and potential, real, or perceived human rights effects; and requests and complaints that may involve vulnerable population groups. It also offers the possibility of performing trend analysis and generating indicators to base assessments on objective data.

26. GeoPark has a protocol that supports the respect of human rights related to the security of its neighboring communities, contributing to the respect and defense of human rights defenders. This protocol is activated whenever it is known, through Cuéntame or by any other means, of a possible impact or serious impact on the human rights of a person in the community or a human rights defender. Through this protocol, different areas of the Company are activated to reject the actions publicly, and to use GeoPark's leverage, as much as possible, to mobilize various government agencies around the protection and guarantee of the human rights of the person in question, in such a way that it contributes to the mitigation of an impact that could be potentially serious.

27. For example, within the framework of the protocol, several government agencies were asked to intervene to protect the life and integrity of [REDACTED]. [REDACTED] is a community leader in one of the areas of influence of GeoPark's operations in the Putumayo department, who has reported being the victim of threats from third parties. Faced with this, (i) GeoPark publicly expressed its repudiation of these threats; (ii) sent a communication to the National Protection Agency requesting they strengthen Ms. Silva's protection measures; (iii) sent a statement to the Regional Ombudsman's Office warning of threats to the life and integrity of [REDACTED]; and (iv) reported these facts to the Attorney General's Office. Finally, the Company follows up on the communications sent and the actions taken with these agencies and local and regional authorities.

28. GeoPark is aware that its operations in Putumayo are carried out in a complex political, social, economic, and security environment. Faced with these risks,¹⁰ the Company works

<https://sustainabilitygeopark.com/documentos/InformeSPEEDES2019.pdf>. Accessed November 20, 2021.

⁹ See statistics in report Tell me. October 2021.

¹⁰ Report of the Working Group on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises, Business, Human Right and Conflict-Affected Regions: Towards Heightened Action, A/75/212, 21 July 2020, paragraph 22.



especially diligently in the area, with an approach that considers the conflict.¹¹ GeoPark, therefore, works innovatively to help overcome the scars of the armed conflict, by adopting strong measures that contribute to the construction of peace and greater respect for human rights.

29. Through its Connections Division, GeoPark communicates its human rights policy and public commitment to stakeholders, in addition to providing timely, transparent, and respectful responses to the concerns or communications that some external stakeholders or other parties present through different channels, such as this Communication.

30. GeoPark's sustainability report is developed using the GRI standard, and includes information on social investment, environmental mitigation impacts and mechanisms, operations, governance and corporate governance processes, human rights and other topics, as well as the SPEED report, which analyzes, in detail, mitigation actions and prevention of potential impacts.¹² Regarding the most sensitive issues for neighboring communities, such as environmental issues, social protest or human rights in general, the Company provides information on the potential impacts and the prevention and mitigation measures adopted or to be adopted. The Company's Connection Division provides sufficient information for a clear understanding of the situation and associated risks.

31. GeoPark respects the environmental richness that surrounds the areas of influence of the operations, with a vision of territory. To this end, it assumed the commitment to minimise impacts and effects that may be generated by activities in the territory and monitor compliance with environmental regulations in production processes.

32. Since 2017, GeoPark has had an Environmental Management System certified under the ISO 14001:2015 standard. In 2020 it was recertified through 2023 for all exploration and production activities in Colombia.

33. In 2020, GeoPark did not receive any fines or penalties related to breaches of environmental licenses or permits granted by governments in the countries where the Company operates.

34. In 2020, the greenhouse gas emissions intensity of the company's operations was 15.2kg CO₂e per barrel of oil equivalent, an indicator of 28.3% below the oil and gas industry average. Based on these emission's inventory that already reflects an environmental management aligned with global climate change objectives, in 2021 GeoPark announced its comprehensive emission

¹¹ In this regard, the Working Group recommends that companies (a) identify the causes of the conflict, in order to detect human rights violations or repercussions not only of business activities but also of the conflict itself (b) identify the actors involved in the conflict, including the affected parties; (c) determine the impacts of the Company's activities on the conflict or social tension or its influence on the emergence of new tensions or conflicts. Ditto, paragraphs 46, 47 and 48.

¹² Available in <https://www.geo-park.com/sp/reports/>. Accessed November 20, 2021.



reduction strategy, which aims to reduce the carbon intensity of operations by 35 -40% by 2025, by 40-60% by 2030, and reach zero carbon emissions by 2050.

35. Below are some of the programs carried out by GeoPark that contribute to the implementation of the OECD Guidelines and responsible business conduct, to respect for human rights and their effective enjoyment, particularly for the benefit of communities in areas of influence.

- a) GeoPark was the first oil and gas company in the world to receive the Safeguard Award from certification company Bureau Veritas, for the Covid-19 biosecurity protocols implemented in the operations in Colombia. Since the pandemic started GeoPark has pooled efforts with authorities and the leaders of neighboring communities to deliver humanitarian aid and medical supplies, as well as for prevention and vaccination campaigns related to the health emergency.
- b) In relation to the Company's employees, the Commitment to Equality, Inclusion and Diversity was launched in August 2021 within the framework of the Company's Operations Committee. This Commitment was prepared by the Company's Senior Management and endorsed by the Equality, Inclusion and Diversity Committee. In this sense and aware that the Commitment requires specific actions, in the next 5 years the Company will develop and carry out programs and actions to implement the commitment with NGOs and CSOs that work in these processes, as well as the implementation of standards such as the International Finance Corporation's Gender Toolkit, among others.
- c) In 2020, GeoPark joined the Equipares Award Certification Program of the Colombian Ministry of Labor. This program acknowledges companies and organizations that correctly implement the Gender Equality Management System (SGIG).
- d) In September 2021, GeoPark received the Equipares Silver Award for its labor equality practices and advances. The award followed an audit by the Colombian Institute of Technical Standards and Certification (ICONTEC) in aspects such as:
 - i. Opportunities for all in recruitment and selection processes
 - ii. Clear mechanisms for the promotion and development of all staff.
 - iii. Equal conditions for remuneration and salary.
 - iv. Promotion of the balance between work, personal, and family life.
 - v. Guarantee a good working environment and promote of health and quality life.



- vi. Development of training opportunities.
- vii. Prevention of workplace harassment and sexual harassment.
- viii. Ensuring the use of non-sexist language.

36. Finally, purchases of goods and services from local suppliers totaled US\$64 million, while the royalties generated amounted to US\$35.9 million.

5. RESPECT FOR HUMAN RIGHTS THROUGH GEO PARK EMPLOYEES AND CONTRACTORS

37. GeoPark works conscientiously so that its employees and contractors respect human rights. It communicates its public commitment and human rights policy, and human rights training is starting. Also, and as mentioned above, these processes will be strengthened within the framework of the continuous improvement process we have been working on.

38. GeoPark promotes respect for diversity as a pillar of relationships with any stakeholder, as part of the community it operates in, and with all its employees, contractors, service providers and partners. Accordingly, there is no discrimination based on gender, sexual orientation, religion, political affiliation, or other matters.

39. Likewise, GeoPark respects the right to freedom of expression and peaceful protest that carried out within the framework of the law, that does not affect the right to health, integrity, freedom of mobility, work or others, or the rights of neighbors, employees, workers or stakeholders.

40. To work in any of the Company's operations, GeoPark incorporates clauses in all contracts with contractors and service providers that establish adherence to the Company's policies, processes, and procedures, including the human rights policy.

41. Within the framework of respect for human rights and their continuous strengthening within the Company, a supply chain human rights risks and impact assessment will be carried out during the next 2 years. The Company's internal human rights specialist will lead the process, with oversight by Guías Colombia as a multi-stakeholder group to strengthen this process. Likewise, "*Cycles of human rights understanding*" will be held, aimed at contractors and suppliers identified as critical due to their work or the place where they operate.

6. GEO PARK CONTRIBUTES TO RESPECT FOR HUMAN RIGHTS THROUGH GOOD OPERATIONAL PRACTICES

42. All GeoPark actions are framed within an Integrated Values System called "SPEED," formulated by its employees since the Company's foundation almost 20 years ago. This System



is summarized in genuine commitments made by all managers and employees in five areas, namely: Safety, Prosperity, Employees, Environment and Community Development.

43. With SPEED as a framework that guides GeoPark's behavior, an integral management of the social environment is carried out to identify and act quickly and preemptively against potential impacts of the activity. This management model incorporates the concerns and expectations of neighbors in management plans, information processes and citizen participation. In addition, it promotes the definition of alliances for the development of programs for social and community benefit. It is a proven model that has allowed differential value to be built and the promise of good neighborliness to be tangible in the areas where the Company operates, as expressed in the Commitment to Nature, People and Neighbors.

44. GeoPark, moreover, aligns itself with the principles of the Global Compact in the fight against corruption and for transparency, which are prominent themes in the Code of Ethics¹³ and the Compliance Program,¹⁴ which establishes the responsibility to comply with all anti-bribery and anti-corruption treaties and laws strictly, both in the countries it operates in and internationally.

45. GeoPark employees are trained on all aspects of the Compliance Program. In 2020, 97% of employees were trained in this program through nine virtual workshops. Participants included employees who joined the GeoPark team following the acquisition of Amerisur. Additionally, three awareness campaigns were developed focused on the Compliance Program, the conflict-of-interest policy, and the gifts and donations policy.

46. Even more relevant, GeoPark has an Ethics Hotline¹⁵ that is the channel to report irregularities, conducts contrary to Company values, or consultation on these matters. An independent third party manages this hotline and, when a report is received, the protocol that defines the procedures for handling complaints is activated. In 2020, 100% of the complaints received through the Ethics Hotline were processed, and none of these were a confirmed case of fraud or corruption.

47. The Compliance and Internal Control team is in charge of commercial and legal due diligence to initiate new business relationships with external partners, mergers or joint ventures, and for the contracting of third parties such as suppliers and contractors. To carry out this task, a review software has been implemented that uses an extensive international database that covers breaches in the field of corruption, financing of terrorism and drug trafficking, anti-competitive conduct, or accusations of human rights violations made to the Colombian Attorney General's Office, among other organizations.

¹³ Available on the official GeoPark site <https://geopark-ir.prod-use1.investis.com/~media/Files/G/Geopark-IR/our%20code/Our%20Code%20Inglés.pdf>. Accessed November 20, 2021.

¹⁴ Available on the GeoPark website, <https://geopark-ir.prod-use1.investis.com/~media/Files/G/Geopark-IR/governance%20policies/compliance-program-against-bribery-corruption.pdf>. Accessed November 20, 2021.

¹⁵ Our ethical reporting hotline is available at: <https://etica.resguarda.com/geopark/co-es.html> Accessed November 20, 2021.



7. AMERISUR OPERATIONS

48. As already mentioned, GeoPark's acquisition of Amerisur was made in January 2020. Most of the information the Communication required of GeoPark relates to events before that date. Therefore, each of the points will be answered by referring to the actions carried out by Amerisur, based on information obtained from the records and documents that were delivered to GeoPark within the framework of the acquisition, a process that included commercial and human rights due diligence.

49. The records and documentation show that respect for the law and human rights was a fundamental pillar of the development of Amerisur's operations. As will be indicated throughout this document with regard to the different allegations related to Amerisur, it can be noted that Amerisur developed human rights due diligence actions to operate within international and local law. Among multiple actions related to human rights, it developed its corporate commitment to human rights policy, in compliance with the Guiding Principles on Business and Human Rights.¹⁶

§ SECTION TWO. CONTEXT OF THE AREA OF OPERATIONS

1. SOCIAL AND ECONOMIC CONTEXT OF PUTUMAYO DEPARTMENT

50. Putumayo department, located in southern Colombia, is part of the Amazon natural region and has 13 municipalities. According to the census conducted by the National Administrative Department of Statistics (DANE) in 2020, the department is home to 359,127 people. Currently, 278,465 people are recognized as victims of the armed conflict, according to the Single Registry of Victims of the Unit for Comprehensive Care and Reparation for Victims. Of these, 28,546 have indigenous ethnicity.¹⁷

¹⁶ On April 24, 2019, before being acquired by GeoPark, in compliance with principle 16 of the United Nations Guiding Principles on Business and Human Rights, Amerisur publicly presented its comprehensive human rights policy at the Amazon Experimental Center in Mocoa, Putumayo. On this occasion, the highest authority of Amerisur Resources PLC, John Wardle, and the Executive Chairman of Amerisur Exploración Colombia Limitada, Carlos Andrés Martínez, reaffirmed the company's commitment to respect for human rights in Putumayo, Colombia and around the world. Representatives of different ethnic communities, including the Association of Indigenous Councils of the Siona People (ACIPS) and the Indigenous Zonal Organization of Putumayo (OZIP) were present. See, among others, Mi Putumayo, Amerisur reaffirms its commitment to respect for human rights. Available at: <https://miputumayo.com.co/2019/04/26/amerisur-reafirma-su-compromiso-con-el-respeto-por-los-derechos-humanos/>, April 26, 2019, accessed October 25, 2021. See, in this regard, Guiding Principles on Business and Human Rights. Principle 16 states that: "To assume their responsibility to respect human rights, companies must express their commitment to this responsibility through a political declaration that: (a) is approved at the highest management level of the company; (b) Is based on internal and/or external expert advice; (c) Establish what the company expects, in relation to human rights, from its staff, partners and other parties directly related to its operations, products or services; (d) Made public and disseminated internally and externally to all staff, partners and other interested parties; (e) Reflected in the operational policies and procedures necessary to instill enterprise-wide commitment."

¹⁷ Portal Single Registry of Victims of the Unit for Comprehensive Care and Reparation to Victims, available in <https://www.unidadvictimas.gov.co/es/registro-unico-de-victimas-ruv/37394>. Accessed November 20, 2021



51. According to the Commission for the Clarification of the Truth, the southern corridor (Putumayo and Amazonas) has been one of the 17 geographical corridors of active presence of illegal armed groups, where armed confrontation has been waged, having particularly affected ethnic communities over time.¹⁸ In Putumayo, FARC has been active since 1965.¹⁹

52. This is due to different reasons. Putumayo department is a strategic territory that due to its geographical conditions, among which the border with Ecuador and its land and river interconnection with the departments of Huila, Cauca, Nariño and Caquetá stand out, as highly valued corridors for the different illegal armed structures.

53. In the last four decades, different criminal structures and organized armed groups such as the Revolutionary Armed Forces of Colombia – People’s Army (hereinafter, also “FARC-EP”), the Paramilitaries or United Self-Defense Forces of Colombia (hereinafter, also “AUC”), and, more recently, the dissident factions of the extinct FARC-EP, have constituted an armed and violent presence to control routes and corridors that favor the transit of supplies for drug trafficking, weapons, coca paste, cocaine and other goods needed to sustain illegal economies.

54. According to the Integrated Illicit Crops System of the United Nations Office on Drugs and Crime (UNODC), the Putumayo department has been affected by coca growing continuously for the past 10 years. This makes it one of the five regions with permanent affectation²⁰ - that is, with at least 10 years of coca cultivation.²¹

55. At the same time, according to the Ombudsman’s Office, the 2016 Peace Agreement would likely have strengthened certain illegal armed groups, linked to the production and marketing of illicit products.²²

56. According to the assessment of the Ombudsman’s Office, these groups accentuate their *“pressures on indigenous and peasant communities, taking advantage of territorial and population influence and control”*.²³

¹⁸ Commission for the Clarification of the Truth, Coexistence and Non-Repetition, Special "The Indigenous Truth", available in <https://especiales.comisiondelaverdad.co/la-verdad-indigena/>. Accessed November 20, 2021.

¹⁹ FIP, USAID, Armed conflict in Caquetá and Putumayo and its humanitarian impact, June 2014, available at <https://cdn.ideaspaz.org/media/website/document/5445281ad0a0f.pdf>. Accessed November 18, 2021.

²⁰ United Nations Office on Drugs and Crime (UNODC)-Integrated Illicit Crops Monitoring System (SIMCI), Monitoring of territories affected by illicit crops 2020 (Bogotá: UNODC-SIMCI, 2021). The year 2020 closed with 22,041 hectares, 25% less than in 2019. The main sources of crops are located on the Putumayo River, a border area with Ecuador. Puerto Asís is one of the five municipalities where 33% of planted areas are concentrated. According to UNDOC: The permanence and concentration of the phenomenon shows that each time they continue to be configured *complex intervention scenarios, in which not only the presence of coca cultivation is a challenge but where fieldwork and registered interdiction information allow to recognize the presence of pasta/base extraction complexes and transformation to hydrochloride, as well as other links in the drug trafficking chain. Similarly, the characterization of these territories shows vulnerabilities of connectivity, access to services, infrastructure and social order and insertion into licit economies, which make it even more difficult to design comprehensive intervention strategies.*

²¹ Ditto, p. 28.

²² Ombudsman's Office, Early Warning 038 of 2018, available at <http://www.indepaz.org.co/wp-content/uploads/2020/02/AT-N°-038-18-PUT-Puerto-As%C3%ADs.pdf>. Accessed November 20, 2021.

²³ Ditto.



57. The Ombudsman's Office has also warned about a similar situation in Piñuña Blanco, in the municipality of Puerto Asís.²⁴

58. In conclusion, this area is particularly complex due to illegal armed groups and the production and transport of illicit products.

²⁴ Ditto.



GEOPARK

§ SECTION THREE. REPLY TO PARTICULAR ARGUMENTS MADE IN THE COMMUNICATION

1. ALLEGATIONS RELATED TO PRIOR CONSULTATION AND FREE, PRIOR, AND INFORMED CONSENT

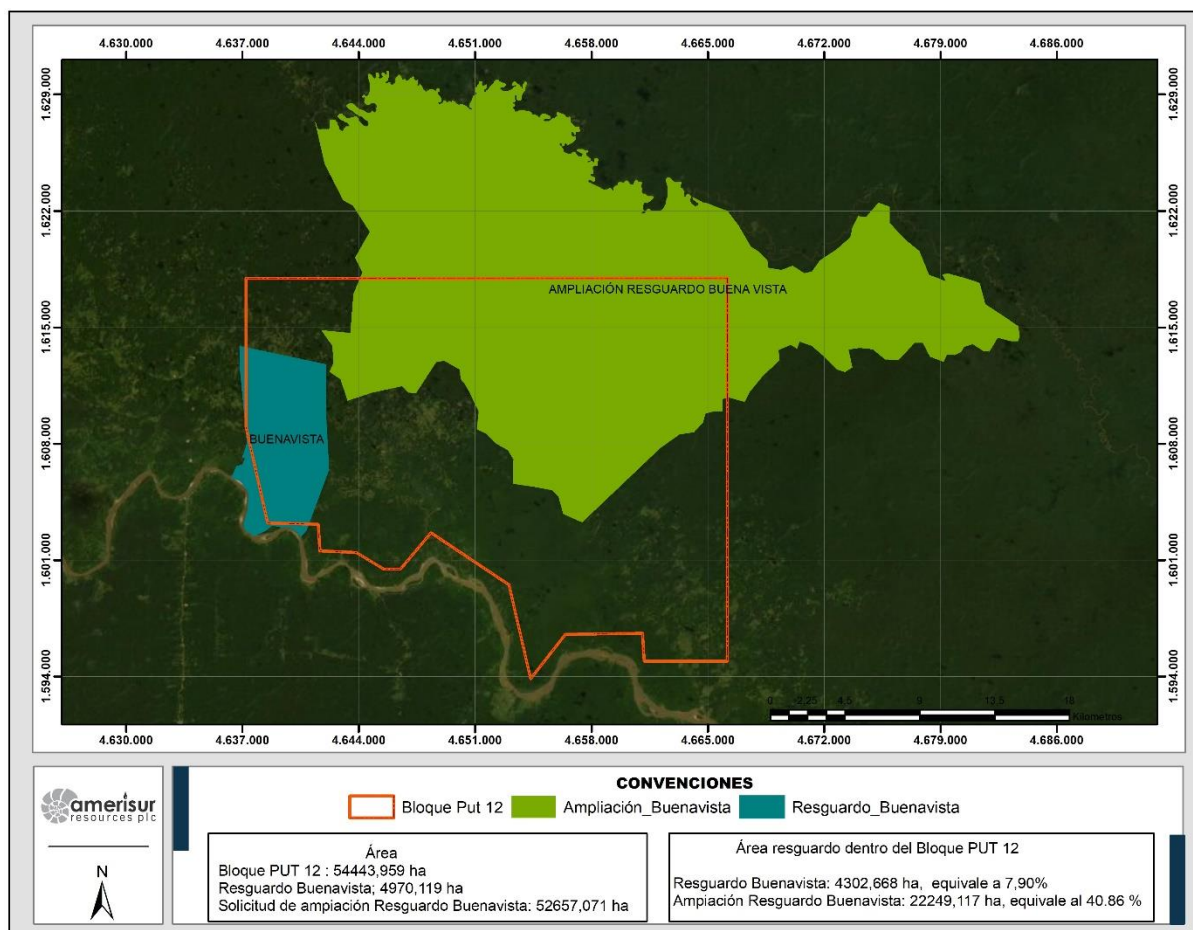
1.1. Introduction to the facts about prior consultation during the years 2014 and 2015, when Amerisur was the operator

59. Reference is now made to specific topics in the Communication on prior consultation. Emphasis will be placed on those points with which GeoPark disagrees because it considers that they do not reflect the reality of the responsible work that, according to the available information, Amerisur carried out on the dates of the events, when it was the operator of the Blocks.

60. The Communication indicates that according to the information received, a consultation process was carried out in 2014 *“which did not reach any agreement between the parties”*. According to the same information, *“pressure was subsequently exerted against the communities by different actors, including armed actors, to accept the agreements with the company”*. Finally, the Communication points out that in 2015 *“the consultation was repeated without the participation of the Ministry of the Interior, and based on the information and promises made by the company, and without having technical advice to understand the impacts that the operations would have on their rights (...)”* and that *“a short time later, when the communities understood the real affectations, they told the company about their rejection of operations.”*

61. It is understood by the references to the dates of the consultations and the 2015 agreement, that the Communication refers to the Buenavista Reservation and Block PUT-12.

62. The first indication to make is that, according to the existing information, Block PUT-12 does not entirely coincide with the territory of the Buenavista Reservation. Below, the partial coincidence between Block PUT-12 and two of the consulted reservations is shown on a map.



63. The Communication refers broadly to “*the communities*”, without differentiating between the three Siona communities that inhabit Block PUT-12. In this regard, it should be noted that the facts indicated in the Communication refer exclusively to the Buenavista Reservation, with which, as available information corroborates, Amerisur carried out the process of prior consultation that was formalized without agreements and with which, subsequently, a direct agreement was reached. With the Santa Cruz de Piñuña Blanco Reservation, also located within Block PUT-12, Amerisur carried out a different prior consultation process in which an agreement was reached and the community consented to the realization of exploratory activities.²⁵

64. The prior consultation with the Buenavista Reservation was carried out in 2014, applying all national and international standards and in accordance with Colombian law. In this process, Amerisur sought, in good faith, the Reservation’s free, prior, and informed consent, but at the end

²⁵ Minutes of Meeting of protocolization with agreements with the Santa Cruz Indigenous Reservation of Piñuña Blanco and the company Amerisur Exploration Colombia within the framework of the 2D seismic acquisition program project within the Block PUT-12 of December 14, 2014.



of the procedure no agreement was reached. Under international law, consent is the purpose of consultation, but according to the standards cited by the Special Rapporteurs, it is not an “*absolute requirement*”.²⁶

65. Subsequently, in an exercise of good faith and due diligence, Amerisur sought a new consultation opportunity with the Buenavista Reservation. This new opportunity was carried out without the Ministry of the Interior's accompaniment, because, according to national law, the prior consultation had already ended; therefore, the Ministry could not continue the procedure. However, going beyond the provisions of national law, and to continue the dialogue under the same principles of obtaining free, prior, and informed consent, Amerisur opened a new dialogue with the Reservation. This new consensual dialogue led to an Act of Agreements in 2015.

66. In 2016, the Buenavista Reservation modified its position and rejected oil exploration activities in its territory through Resolution 002, in which it stated that Amerisur “*pressured the community*” to sign the Act of Agreements, which is not true.

1.2. The 2014 prior consultation procedure that Amerisur was involved in

67. The prior consultation process was carried out in compliance with all national and international standards, as explained below.

68. **Pre-consultation.** On August 16, 2013, a preliminary meeting was held between Amerisur and the community of the Buenavista Reservation to arrange the start of the prior consultation.²⁷ Subsequently, on October 23, 2013, a pre-consultation meeting was held within the framework of the “*2D seismic acquisition program within Block PUT-12*” project, with the participation of authorities and the community of the Buenavista Reservation.²⁸ At that meeting, the Directorate of Prior Consultation of the Ministry of the Interior explained the legal framework of the Prior Consultation, and Amerisur gave a general description of the project. Finally, the joint construction of the methodological route to be developed within the framework of the prior consultation process was proposed and agreed.²⁹ This can be clearly seen in the supporting minutes.

69. On June 19, 2014, the governor of the Buenavista Reservation and members of the community met with delegates from Amerisur, to agree on the methodological route for the development of the prior consultation process.³⁰ At the request of the community, among other issues, they required incorporating a team of eight (8) people who would accompany the

²⁶ Report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, James Anaya, 15 July 2009, A/HRC/12/34, paragraph 66.

²⁷ Minutes of Memory of meeting with the Resguardo Buenavista dated August 16, 2013.

²⁸ Minutes of Pre-consultation meeting with the Indigenous Reservation of Buenavista and the company Amerisur within the framework of the project “2D seismic acquisition program within Block PUT-12”. Date: October 23, 2013.

²⁹ Minutes of Pre-consultation meeting with the Indigenous Reservation of Buenavista and the company Amerisur within the framework of the project “2D seismic acquisition program within Block PUT-12”. Date: October 23, 2013.

³⁰ Minutes of Meeting with the Indigenous Reservation of Buenavista and the company Amerisur within the framework of the project “2D seismic acquisition program within the PUT 12 block”. Date: June 19, 2014.



community during the period of four (4) months and would carry out a survey of the information on the impacts of the project, and three (3) professionals who would accompany the community throughout the duration of the prior consultation process. In both cases, the people were elected and appointed by the Buenavista Reservation, and Amerisur financed the activities as part of the commitment to dialogue and the agreement process of the prior consultation. In addition, the proposal included a training process for the community in the following topics: (i) prior consultation from the perspective of the Siona people; (ii) environmental impacts and own impacts from the Siona perspective; (iii) self-government and indigenous legislation; and (iv) training in territory, protection, expansion and sanitation and conflict resolution in the community. Again, and given the specificity of the subject, the person hired for the training was chosen by the Reservation and the cost of the training was paid by Amerisur, helping to ensure that the Reservation had a clear understanding of the prior consultation at a general level and the specifics of the procedure in accordance with its traditions.³¹

70. Opening of the consultation. As can be seen from the minutes, on 25 June 2014, the Ministry of the Interior formally opened the prior consultation process.³² The Ministry, Amerisur and the community participated in this meeting. At the meeting, the previously agreed methodological route was approved and the community undertook to set the date for the impact workshops. Furthermore, dates were set for internal community meetings before the impact workshops, giving the community sufficient time to prepare its participation in the dialogue with the Government and Amerisur.

71. Impact workshop. On November 15, 2014, the impact workshop meeting began, which lasted several days. Amerisur presented the possible social and environmental impacts of its activity, and the community had the opportunity to indicate what measures should be adopted to prevent, mitigate, correct, or compensate for those impacts. The community representatives expressed the need to take a tour of the seismic lines that would pass through the indigenous territory of Buenavista with the aim of harmonizing the territory, according to its uses and customs. Therefore, a new meeting was agreed in which the community would present the proposal for the route and Amerisur would inform the community about the activities that would be carried out in its territory. Several subsequent meetings were held on November 18 and December 6, 2014. The minutes of these meetings state that the tour was made and that Amerisur gave the explanations requested by the community. In addition, management measures were agreed with regard to each of the impacts the community identified.

72. Pre-agreements. On December 7, 2014, the pre-agreement meeting was held. At the meeting, the parties discussed each of the management measures, to reach agreements

³¹ Minutes of Meeting with the Indigenous Reservation of Buenavista and Amerisur within the framework of the project "2D seismic acquisition program within the PUT 12 block". Date: June 19, 2014.

³² Minutes of the opening meeting of the prior consultation process with the Buenavista indigenous community of the Siona ethnic group and Amerisur within the framework of the project "Program of 2D seismic acquisition in the PUT 12" block. Date: June 25, 2014.



regarding each of the impacts identified by the community and different interventions made by the delegates of Amerisur, the indigenous community and the advisory group. The community, moreover, expressed the need for Amerisur to define the total amount offered for the implementation of the measures.³³ In this meeting, the Reservation indicated that the value offered by Amerisur would not be accepted and that the community had unanimously decided to end the consultation without agreements.

73. **Protocolization without agreement.** At the meeting of 8 December 2014, the consultation was closed without having reached an agreement.

74. However, and with respect for the commitments made by Amerisur and agreed with the community, Amerisur adopted the management measures proposed by both parties to mitigate the impacts produced by the seismic exploration program.

75. The available documentation contradicts what the communities expressed in the Communication to the Rapporteurs and the Working Group, not only in that a prior consultation process was not carried out, but that it was done without the participation of the Ministry of the Interior, the responsible entity for these processes, and that the Buenavista reservation did not have specialized advice for the realization of the consultation.

1.3. The 2015 Agreements

76. On March 16, 2015, new dialogue was opened between the Buenavista Reservation and Amerisur, within the framework of the constant engagement process with the communities of the area of influence, and seeking to make the consultation a “*continuous process*”.³⁴ This dialogue went ahead without participation by the Ministry of the Interior since, according to national law, the prior consultation had already ended. According to national law, Amerisur would have been able to continue its activity even without an agreement, since the prior consultation had been conducted in good faith and met all the legal requirements. However, in the quest to continue the dialogue with the community, the 2015 Agreements Act was signed. As can be seen, the absence of the Ministry of the Interior from this new meeting was due to an internal legal obstacle and not to an omission by Amerisur. The Association of Indigenous Councils of the Siona People (ACIPS), the Indigenous Zonal Organization of Putumayo (OZIP) and the Ombudsman of the Municipality of Puerto Asís participated in the meeting as guarantors.

77. Both Amerisur, at the time, and GeoPark, since acquiring Amerisur, have sought new consultation opportunities with the Buenavista Reservation. This proactive attitude shows that, far from ignoring the right to prior consultation, both Amerisur and GeoPark have sought to make

³³ Minutes of a Meeting of Prior Consultation in its pre-agreement stage with the Buenavista indigenous community and Amerisur within the framework of the project “2D seismic acquisition program within Block PUT-12 block”. Date of meetings: 7 December 2014.

³⁴ Rights of indigenous peoples, Report of the Special Rapporteur on the Rights of Indigenous Peoples, A/HRC/45/34, dated June 18, 2020, available at <https://undocs.org/pdf?symbol=es/A/HRC/45/34> page 54.



consultation a continuous process, as recommended by the Office of the Special Rapporteur for the Rights of Indigenous Peoples. Note that, in the agreement, Amerisur undertook to comply with the measures and compensations that had been previously proposed in the prior consultation process.

78. This agreement is a sign of due diligence and good faith, since as explained, in the framework of Colombian law, Amerisur would have had the right to proceed with exploration activities after the protocolization of the consultation without agreements in 2014.

1.4. Compliance with the 2018 precautionary measure and the request for a new consultation

79. As is known to the Special Procedures, in 2018, a Land Restitution Court ordered Amerisur to refrain from carrying out seismic exploration activities in the territory of the Buenavista Reservation or in the expanded territory they requested, unless there was the free, prior, and informed consent of the community.

80. Although on different occasions Amerisur certified compliance with the precautionary measure, it also expressed its disagreement with it because the seismic acquisition project was not within any of the three grounds under which the requirement of free, prior, and informed consent is necessary. In this regard, in soliciting the lifting of the precautionary measure, Amerisur requested:

Secondarily, to order the realization of a new prior consultation regarding the activity Amerisur plans to carry out only on the territory requested in the expansion that is, eventually, restored in the process, to guarantee the rights of the communities that act in the process of land restitution.

81. As the above paragraph shows, the best evidence that Amerisur respected the right to prior consultation is that it directly asked the Land Restitution Judge to order a new consultation. This is evidence that Amerisur operated within the framework of respect for human rights, conceiving prior consultation as a continuous dialogue with the community and not as a simple procedure to be exhausted.

82. Although Amerisur at the time and GeoPark now both respect that there was a change of opinion on the part of the Buenavista Reservation regarding the agreement and the operation, GeoPark categorically rejects all the allusions that link it with illegal armed groups or illicit drug trafficking groups. None of the events related to the previous consultations involved the intervention of armed actors. Proof of this are the minutes of the entire process of prior consultation, in which there is no mention of it, as well as the resolutions of the Buenavista Reservation in the year 2016.



83. The Siona Buenavista Reservation has indicated that the Company should not contact it. That has been respected. However, GeoPark remains open to dialogue if and when the Reservation modifies its position, should it choose to do so.

84. Although legally and within the framework of respect for human rights, Amerisur could have continued its activity in Block PUT-12 after the consultation, it decided to make the dialogue process with the Buenavista Reservation continuous and managed to reach agreements. During its operating stage, Amerisur can be seen to have always respected the right to prior consultation, as has GeoPark from January 2020 onwards. Amerisur carried out prior consultation with an agreement with the Santa Cruz de Piñuña Blanco Reservation, while with the Buenavista Reservation, it carried out a prior consultation that did not end in agreement.

85. **Withdrawal from Block PUT-12.** In June 2021, GeoPark asked the National Hydrocarbons Agency for permission to return Block PUT-12. This request has already been made known to the Land Restitution Court and the Buenavista Reservation, within the land restitution process framework.

2. ALLEGATIONS OF ENVIRONMENTAL DEGRADATION AND IMPACT ON LIVING CONDITIONS

86. It is crucial at this point to note that Amerisur's operations in the Platanillo Block had an Environmental License granted by ANLA.³⁵ GeoPark's acquisition of Amerisur did not change this. During the exploration phase, some activities were carried out in compliance with Corpoamazonia's permits.

87. Both environmental management permits, granted by autonomous corporations and environmental licenses, are subject to monitoring and verification by authorities. Generally, these verification processes are carried out on site on an annual basis and reports of environmental management plans and compliance with the license are also presented in accordance with their requirement.

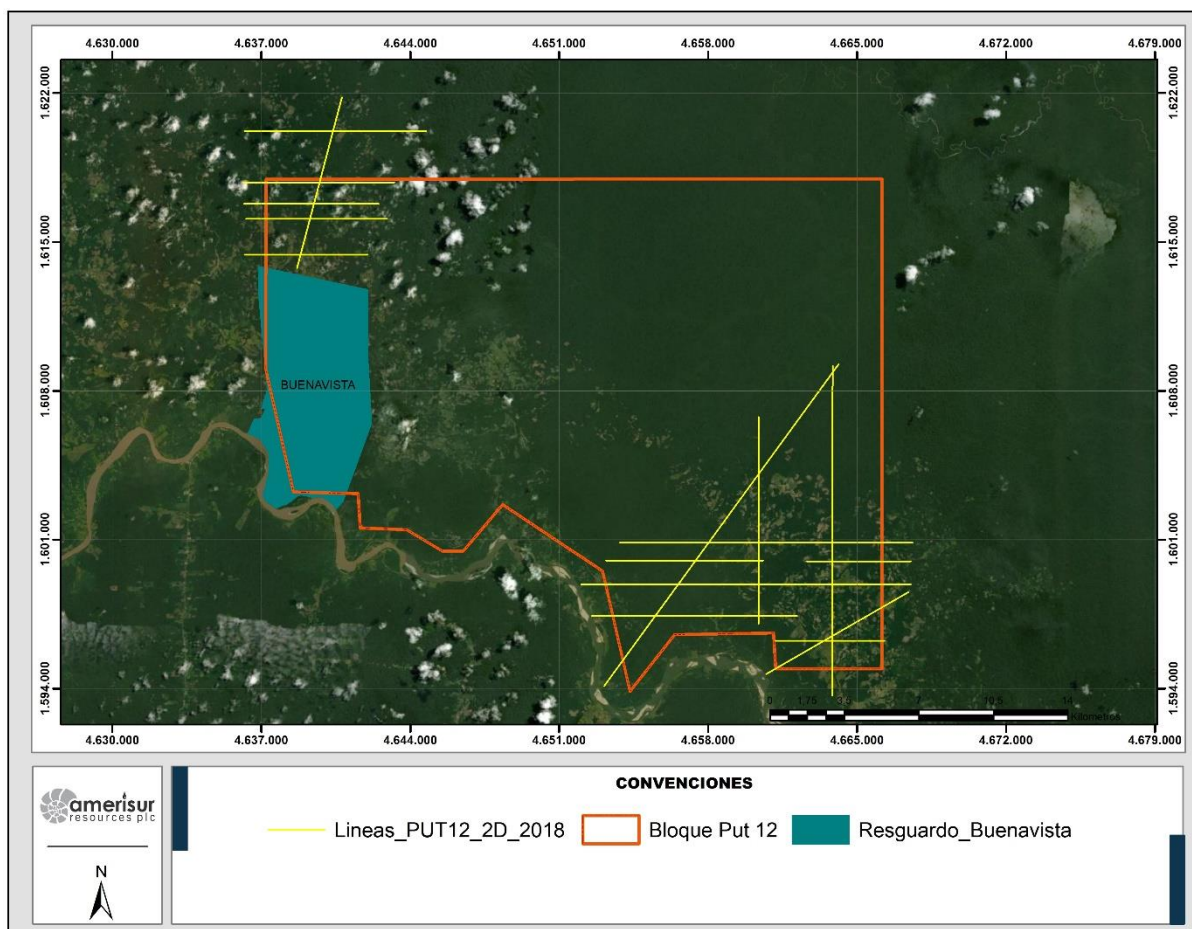
88. Despite what was indicated by the Communities in the Communication, neither Amerisur at the time nor GeoPark since January 2020, have executed activities associated with oil exploration and production under the contract for Block PUT-9.

89. With regard to Block PUT-12, Amerisur only executed activities related to the project called "2D Seismic Program – Block PUT-12", which could not be concluded, in large part because of the Buenavista Reservation rejected the project. In any case, the activities that were carried out were performed in full compliance with the environmental permits granted by the competent

³⁵ By resolution 2531 of December 17, 2009.

environmental authority (Corpoamazonia), and in the terms and conditions of the concession contract.

90. In addition, it is important to reiterate that Amerisur's activities in the 2D Seismic Program were restricted to areas located **outside the legally constituted territories of the Siona Community**, as shown in the following illustration.



2.1. Alleged contamination of water bodies

91. The allegation that Amerisur contaminated the Putumayo River or its tributaries by the discharge of toxic waste is inconsistent and false, as will be shown. Again, the information presented only refers to the Platanillo Block, since it is the only block with operational activity and, thus, with permits for Amerisur to discharge into surface water bodies.

92. The tributaries around any area of operation are of special care for GeoPark neighbors; therefore, the Company vehemently rejects the alleged discharge of toxic waste into the Putumayo River or any tributary. Records show that Amerisur has not made discharges in to



surface water bodies since 2013. Since GeoPark acquired Amerisur, no discharges have been made into surface water bodies.

93. The Platanillo Block Environmental License was granted to Ecopetrol on April 19, 2007, and ceded to Amerisur on January 26, 2009. This license included a direct discharge permit into the Mansoyá River, which Amerisur used until the first half of 2013. Also, in 2011, ANLA modified the Environmental License of the Platanillo Block,³⁶ adding a permit to discharge treated wastewater in a stretch of the Putumayo River. This permit was granted only for 18 months and was used by Amerisur, temporarily, in the period between April 2012 and May 2013. During this period, Amerisur carried out the corresponding physicochemical and bacteriological monitoring of the waters, in accordance with the obligations established by the environmental authority. As of June 2013, **all discharge activity to surface water bodies** in the operation of the Platanillo Block was suspended.

94. Since June 2013, neither Amerisur nor, since January 2020, GeoPark, carried out direct **discharges to surface water sources**,³⁷ and other alternatives authorized by the environmental license are used.

95. In fact, numerous water quality studies carried out by Amerisur between 2012 and 2019 in the Mansoyá and Putumayo Rivers, within the framework of the Environmental Monitoring Plan and reported to the environmental authority, show that there were no effects on the bodies of water, soil or vegetation of the areas that were previously authorized for discharges. This, in turn, shows that communities' livelihoods were not affected, and consequently, the right to food was not affected by Amerisur's activities.

96. During the time that Amerisur made use of the Environmental License discharge permits, water quality standards did not change. This was ratified by compliance with the parameters determined by environmental regulations when the permit was used, through environmental quality monitoring.

97. An Environmental Monitoring Plan³⁸ was implemented in the Platanillo Block, in compliance with the obligations established in the Amerisur Environmental License³⁹ and its modifications.⁴⁰ Through this Plan, it is possible to verify the behavior of specific parameters that

³⁶ By Resolution 0107 of November 7, 2011, as amended by resolutions 0513 of May 7, 2015, 0953 of August 14, 2017, 0997 of August 22, 2017, 0453 of April 2, 2018, 2408 of December 21, 2018, 2436 of December 26, 2018, 0903 of May 27, 2019, 1348 of July 10, 2019, 704 of April 16, 2020, and 1239 of July 21, 2020.

³⁷ GeoPark, Sustainability Report 2020, p. 121, available at https://www.geopark.com/files/publications/informe_sostenibilidad_reporte_speed_esq_2020_geopark.pdf. Accessed November 20, 2021.

³⁸ These are the product of the evaluations and follow-up visits of the National Environmental Licensing Authority (ANLA).

³⁹ Ministry of Environment and Sustainable Development, National Environmental Licensing Authority, Resolution No. 2531, December 17, 2009, grants the Global Environmental License to Amerisur Exploración Colombiana Limitada for the project "Área de Explotación de Hidrocarburos Platanillo."

⁴⁰ Ministry of Environment and Sustainable Development, National Environmental Licensing Authority, Resolution No. 107, November 22, 2011, modifies Resolution 2531. Ministry of Environment and Sustainable Development, National Environmental Licensing Authority, Resolution No. 0513, May 7, 2015, modifies Resolution 2531.



indicate the water quality of the main watersheds that are part of the hydrographic subzone of the Middle Putumayo River, where the Platanillo Block is located.

98. The Environmental Monitoring Plan anticipates the sampling of 32 watercourses.⁴¹ All monitoring is carried out by laboratories duly accredited by the Institute of Hydrology, Meteorology and Environmental Studies (IDEAM). The results of this monitoring were reported annually to ANLA through the project's Environmental Compliance Reports (ICAs) by Amerisur. Within the bodies of water that are part of the Monitoring Plan, water quality analyses were carried out for more than 10 years in the Mansoyá and Putumayo rivers, the main water sources located inside the Platanillo block⁴². Multi-year analysis shows that:

- a) Water bodies require conventional treatment for purification, since consumption is limited by bacteriological parameters such as the presence of *E. coli*, mainly related to inadequate management of solid and liquid waste from domestic and livestock activities of the communities that inhabit the area, and which are not related to oil and gas operations. Chlorides and sulfates are below the detection level, indicating that in water bodies there are no relevant effects from the presence of gray or industrial water nor from detergents and/or fertilizers.
- b) There is no evidence of toxic substances, components, or concentrations from the operational activities in the Platanillo Block in the parameters of fats and oils, total hydrocarbons, or metals. These are mostly below the detection level, and the values found correspond to natural characteristics of water and are not related to hydrocarbon extraction.
- c) The concentration of suspended solids indicates a low presence of coarse solids resulting from contributions of entrained and suspended materials related to the use of access routes to the Platanillo Block and roads within it.
- d) Hydro fauna shows low diversity of species and the bioindication characteristics of the microorganisms found are indicators of little-to-moderately contaminated water.

99. In conclusion, the bodies of water analyzed have no limitations for human use, allowing the continuity of ecological functioning and environmental services and the maintenance of the fauna and flora of the aquatic ecosystem.

100. In addition, it should be noted that on May 30, 2017, the National Environmental Licensing Authority (ANLA) issued an “*Environmental Monitoring and Control Order*” of the obligations

⁴¹ 23 of lotic surface type (ravines, streams and rivers) and 9 lentic (moriche palm swamps, lagoons) and 11 monitoring points of the underground water resource.

⁴² Amerisur Colombian Exploration, Environmental Report, Multitemporal Report of the Rivers Mansoya and Putumayo, April 15, 2016.



assumed by Amerisur within the framework of the Environmental License granted for the Platanillo Block.⁴³

101. On this subject, ANLA pointed out that although Amerisur had a permit for the management and final disposal of domestic, industrial, and associated production wastewater generated in the Platanillo Block, it was verified that *“the company has not discharged into bodies of surface water in the authorized stretches”*.⁴⁴

102. On January 29, 2019, and February 8, 2019, the Buenavista Reservation presented a *“Note of Concern - Early Warning”* to ANLA alleging contamination of the Putumayo River from supposed discharges into water sources. ANLA responded on April 23, 2019, indicating that (previously treated) wastewater discharges into the Mansoyá and Putumayo rivers were duly authorized through the Environmental License granted to Amerisur for the Platanillo Block.⁴⁵

103. ANLA pointed out that *“with respect to what was observed in an environmental monitoring visit carried out in March 2018, no discharge infrastructure was identified at the point of the Mansoyá River, nor were there any effects on the body of water, soil or vegetation of that area. Similarly, at the point of the Putumayo River, no effects were identified in the body of water, soil, or vegetation of the area.”*⁴⁶

2.2. Alleged air pollution from operation and road construction activities and blasting

104. According to the information provided to the Special Procedures *“the construction and operation of the company, including the construction of roads and blasting, caused different types of environmental damage - air pollution, burning and felling of forests - and altered the wetland system and bodies of water in the areas, causing droughts.”*

105. GeoPark always seeks to innovate to mitigate any impact it may generate and, therefore, can say with absolute certainty and good faith that it has not generated pollution in the area, caused deforestation, produced droughts, or altered wetland systems.

106. Information collected shows that Amerisur implemented numerous prevention and mitigation measures so that its Platanillo Block operations did not cause air pollution or affect biodiversity. GeoPark has continued these efforts, adhering to best practices and prior management processes; moreover, several areas have been reforested as compensation measures.

⁴³ National Environmental Licensing Authority, Auto No. 02075, May 30, 2017, environmental monitoring and control.

⁴⁴ Ditto.

⁴⁵ National Environmental Licensing Authority, Response to communications filed emanating from ANLA 2019051010-2-000 of January 29, 2019 and 2019014018-1-000 of February 8, 2019, date April 23, 2019, p2.

⁴⁶ Ditto.



107. The Platanillo Project has the advantage of being a small-scale project with limited interventions, which is why no air pollution or serious damage is generated. When slight impacts are foreseen, Amerisur, and as of January 2020 GeoPark, have adopted the necessary measures to identify and prevent any negative impact on air quality due to operations.

108. In the areas of operation in the Putumayo there are seven (7) platforms, of which two (2) have no operational activity; there are thirty-three (33) wells drilled of which only sixteen (16) are active.

109. Furthermore, road tankers are used in the Platanillo Block only for the transport of hydrocarbons between platforms, meaning that the activities of Amerisur, until January 2020, and GeoPark since then, do not cause high vehicular traffic on public roads in the area, and, therefore, do not contribute to an increase in the emission of particulate matter. Likewise, Amerisur implemented a **road dampening system** that allowed the elimination of particulate matter or dust that was generated by using the roads by other actors in the area and the community in general and maintained public roads. GeoPark continued with these processes from January 2020.

110. The location of platforms, roads and flow lines **comply with the environmental management zoning** established when each work was built, according with the Environmental License. In no case did Amerisur intervene areas with any kind of environmental legal restriction.

111. **None** of the platforms or roads built by Amerisur within the areas of conservation and preservation projects are in the **legally constituted territories of any of the Siona community reservations**. Furthermore, every year, until January 2020 by Amerisur and since then by GeoPark, **air quality monitoring is carried out in the Platanillo Block**. These reports are submitted to ANLA in the annual ICAs. The latest air quality monitoring carried out in the area of influence of the project (2018 - 2020),⁴⁷ shows no alterations to air quality due to the operations in Platanillo, and that atmospheric emissions fully comply with the limits established by local regulations.

2.3. Alleged cutting and burning of forests by the company

112. It is not true that Amerisur and, later, GeoPark, generate or have generated deforestation in the areas of operation.

113. According to the information collected from Amerisur, it carried out programs related to the rehabilitation, restoration, and conservation of ecosystems through projects with proven benefits in the conservation of fauna, flora, and biodiversity in general. GeoPark has continued with the execution of these processes since January 2020.

⁴⁷ Air Quality Monitoring carried out in the Platanillo Block (2018-2020). See the example of the last monitoring carried out in 2020.



114. Not only were no trees burned, but Amerisur contributed to their regeneration through programs of rehabilitation, restoration, and conservation of ecosystems, which are proved to benefit the conservation of fauna, flora, and biodiversity in general. As a compensation measure for Platanillo Block activities, 11 properties totaling 508.19 hectares have been allocated for ecosystem restoration, conservation, and preservation, compared to the 37.88 hectares intervened by the project from its inception to date.

115. GeoPark has, furthermore, planted and maintained approximately 281,059 trees within some of the properties. It is, moreover, allocating economic and other resources that will considerably increase these areas that are part of Platanillo project compensation measures.

2.4. On the allegations of causing droughts

116. The information outlined in the Communication indicates that there have been droughts in one of the areas with the highest annual rainfall in the country. There are no records of **drought or similar event in the area**; the specific area where the Platanillo Block is located, the municipality of Puerto Asís and, in general, the department of Putumayo, historically has an average annual rainfall of between 3000-4000mm,⁴⁸ which makes it one of the departments with the highest rainfall in the country. In addition, with its topographical, hydrological, and hydrogeological conditions, it is very unlikely that surface water deficit or marked low water flows can occur, affecting the access of communities to water sources.

2.5. Alleged effects on air quality, noise, and damage to homes by Amerisur's seismic activities

117. According to information provided to the Special Procedures, seismic activities affected air quality, caused noise, and damaged homes in the community.

118. As mentioned above, the only project with seismic activities was the PUT-12 Block 2D Seismic Program when operated by Amerisur, which is not currently in execution. Amerisur developed this project in two phases, each of approximately one month, between August 2018 and March 2019. In July 2019, Amerisur finished dismantling the temporary camps.

119. According to the information collected from Amerisur, and which was verified by environmental authorities, the temporary seismic activities did not affect air quality or cause noise or damage to the homes of the Siona communities for the following reasons: the conditions of the areas where some seismic lines were acquired, in agreement with the rural communities that participated in these activities, were supported by river transport,⁴⁹ so the possibility of constant noise and dust that could seriously affect air quality is very low or non-existent.

⁴⁸ See Average Annual Average Multiannual Precipitation Map 1981-2010, Institute of Hydrology, Meteorology and Environmental Studies, Republic of Colombia, 2014.

⁴⁹ See images of river transport in Block PUT-12.



120. In addition, land movements were almost entirely on foot and supported by non-motor transport hired from rural communities in the areas of influence. The roads and highways in the area were used very little, so no particulate matter was generated by vehicle traffic.





121. Finally, according to the documentation, the location of the source points of the seismic lines (which were always outside the legally constituted territories of the Siona communities), always respected a distance of at least 100 meters from any house, precisely to prevent project activities from generating any damage or situations of discomfort during execution. Furthermore, the intrinsic characteristics of seismic activity mean that it does not generate the kind of damage alleged.

122. With regard to the noise that seismic operations cause, it is important to clarify that, except for small power generating plants for the supply of water and energy located in the temporary camps by Amerisur (which were located under expressed authorizations of property owners and in compliance with the permits granted by Corpoamazonia for the project), no equipment that constituted a permanent source of the noise was used during the project, since the drilling equipment has a specific and defined use only for that stage of activities.⁵⁰ These small power plants do not produce significant noise.

123. Finally, it is reiterated that according to the reports sent to environmental authorities and provided to GeoPark in the process of acquiring Amerisur, all processes undertaken in the framework of exploration were compliant with the permits of Corpoamazonia, the regional environmental authority, and its monitoring and compliance verification.

124. Regarding the operations of the Platanillo Block, Amerisur monitored environmental noise and noise emission in the project area to determine the noise levels generated by the operation in the Block, evaluate the sound pressure levels and their effects on the environment, identified the sources of noise generation, and took the necessary preventive and mitigative measures. The results of these monitoring are presented annually to ANLA in the Environmental Compliance Reports.

3. INFORMATION ON LAND CONFLICTS

125. The Communication states that the lands of Block PUT-12 “*are part of the ancestral ethnic territory of the Siona People*” and that “*sentence No. 00531 of 2018, the First Civil Court of the Specialized Land Circuit ordered Amerisur to refrain from carrying out actions aimed at implementing the PUT-12 project on the already-formalized Buenavista Reservation and on the area of expansion, unless the informed consent of the community is guaranteed. However, without any consent from the communities, it is alleged that the company has continued actions in that area.*”

⁵⁰ See images of the generation equipment and drilling holes used in the PUT 12 - 2D project.



126. This process refers to actions of Amerisur, undertaken prior to its acquisition by GeoPark. Considering that in the process of land restitution the reservation requested the expansion of its territory, the existing documentation shows that Amerisur sought to expand and continue the dialogue with the community and requested a new prior consultation be carried out, taking as a reference the territory requested in expansion. Thus, Amerisur anticipated the outcome of the process and proactively sought to engage with the community out of respect for their new territorial claims.

127. As was the case with the chapter on prior consultation, it is reiterated that, although the Communication refers to the “*communities*,” according to the facts and location presented, it is understood to refer to the Buenavista Reservation. With the Santa Cruz de Piñuña Blanco Reservation, Amerisur carried out a prior consultation process accompanied by the Ministry of the Interior, which resulted in the Reservation’s free, prior, and informed consent for the realization of the seismic acquisition project.

128. The order referred to in the Communication is misidentified as a judgment. This is not a judgement, because the Land Restitution Court has not yet concluded the process. According to public information, this process has not been concluded because there is a territorial conflict between the Siona people and the Nasa people, whose territorial claims coincide, at least partially.

129. Block PUT-12 does not entirely overlap with the territory requested in expansion, as shown by the following map:



the operating company was Amerisur and since January 2020 with the acquisition of Amerisur by GeoPark.⁵²

133. In neither case is this true; as evidenced by the information presented in the part about the context of the territory, illegal groups have been present in Putumayo since at least 1965,⁵³ the date when the FARC's arrival in the area is documented. Similarly, over the decades, AUC and groups dedicated to drug trafficking have been present in the area, in addition to the proven presence of non-demobilized FARC elements. This shows that based on information from specialized UN agencies and reports from government agencies and the Truth Commission, conflict was a reality in Putumayo long before the start of Amerisur's operations in 2012. In fact, the information reflected in the Communication itself shows a systemic problem in the area, which started before Amerisur's operations.⁵⁴

4.1. Alleged links with illegal armed groups

134. Claims of links and engagement with illegal armed groups are absolutely false and jeopardize the right to life, integrity, development, and economic and social rights of employees, service providers, contractors, and partners.

135. GeoPark does not engage with illegal armed groups. It has always rejected these comments emphatically and will continue to do so. Documentation shows that Amerisur acted similarly.

136. Moreover, GeoPark rejects any actions by illegal armed groups that may affect or threaten the life or integrity of individuals, in particular neighboring communities, human rights defenders, and community leaders. It also reiterates the commitment to activate its aforementioned protocol whenever it is aware of a severe possible impact on the human rights of a neighbor or human rights defender in the area of influence.

137. GeoPark points out that human rights clauses are included in contracts. Contractors and service providers must adhere to GeoPark policies and procedures, which include the human rights policy and the prohibition of engagement and financing of illegal armed groups— which is illegal under Colombian law for any company operating in national territory.⁵⁵ Finally, GeoPark

⁵² The Communication submits the following arguments: The company's operations exacerbated the situation of conflict in the area. There are links between the company and illegal groups. The company partnered with paramilitary groups to displace the communities of the ancestral territories to develop their productive projects there. The company's presence increased militarization in the area. In particular, military forces constituted two special energy and road battalions and a special operation center for the protection of critical infrastructure of Orito in that area. The battalions deployed were not governed by specific regulations, but on the basis of general rules of organization of operation of the military forces according to the Constitution.

Functioning of the military forces and agreements between the company and the army were opaque.

⁵³ FIP, USAID, Conflict armed in Caquetá and Putumayo and their impact humanitarian, June 2014, available at <https://cdn.ideaspaz.org/media/website/document/5445281ad0a0f.pdf>, last visit on November 18, 2021.

⁵⁴ The Communication specifically mentions events from 2006 and 2009, prior to the entry of Amerisur.

⁵⁵ See clause 47.1, c) of the Contract signed between Amerisur Colombian Exploration Limited and Omnitempus Limited, Service Contract No. 6000006842.



notes that a due diligence process was carried out before acquiring the Putumayo blocks of Amerisur, in which compliance with the law was verified in the operations, including the review of any accusation of financing terrorist groups, link with drug trafficking, complaint for the commission of crimes against humanity, or human rights violations, etc.⁵⁶

4.2. Alleged increase in militarization in the area. Military forces were not governed by specific regulations

138. The communication received indicates that the presence of the company, without distinguishing between Amerisur and GeoPark, has caused a greater militarization of the area, and that the Army battalions are not governed by specific regulations, but only based on general rules of operation of the military forces, according to the Constitution. This information is inaccurate and imprecise.

139. Notwithstanding the State's responsibility to provide a more precise answer on this point, it is clarified that the Military Forces are governed by the Constitution, which includes all international norms referring to the human rights and international humanitarian law treaties ratified by Colombia and all those that refer to the use of force by the Military and Police forces. Furthermore, Colombia has been a member of the Initiative of the Voluntary Principles on Security and Human Rights since 2003.

The company ensures that private security companies have no links to illegal armed groups either. Within the framework of the contracts, it is established for the provision of surveillance and security services, the parties declare not to be collaborators, sympathizers or not to have any type of link with these groups.

See clause 5.6 of the Contract signed between Amerisur Colombian Exploration Limited and Omnitempus Limited, Service Contract No. 6000006842. See also clause 12.1, v) of the Contract signed between Amerisur Colombian Exploration Limited and Omnitempus Limited, Contract No. AEC-K-0343. In addition, it is expressly provided that security personnel may not engage in any of the following conduct related to illegal armed groups:

Make, tolerate, or omit any action by invoking or unjustifiably yielding to threats made by armed groups organized outside the law.

Receive, supply, administer, intervene, finance, invest, transfer, store, transport, store or preserve money or property from or destined for such groups or collaborate and provide assistance to them.

Build, assign, lease, make available, facilitate or transfer in any title, property to be used for the concealment of persons or the deposit or storage of belongings of such groups.

Paralyze, suspend or significantly diminish the fulfillment of their contractual obligations by complying with instructions from these groups.

Failure to comply with the duty to report punishable acts, the commission of which is attributable to these groups.

⁵⁶ See clause 47.1, c) of the Contract of surveillance and private security services signed between Amerisur Colombian Exploration Limited and Omnitempus Limited, Service Contract No. 6000006842, January 29, 2021.

The Company ensures that private security companies do not have any links to illegal armed groups. Within the contracts and to provide surveillance and security services, the parties declare that they are not collaborators or sympathizers with these groups and that they do not have any links with them.

See clause 5.6 of the Contract signed between Amerisur Colombian Exploration Limited and Omnitempus Limited, Service Contract No. 6000006842. See also clause 12.1, v) of the Contract signed between Amerisur Colombian Exploration Limited and Omnitempus Limited, Contract No. AEC-K-0343. In addition, it is expressly provided that security personnel may not engage in any of the following conduct related to illegal armed groups:

Make, tolerate, or omit any action by invoking or unjustifiably yielding to threats made by illegal armed groups.

Receive, supply, administer, intervene, finance, invest, transfer, store, transport, store or keep money or property from or destined for such groups or collaborate and provide assistance to them.

Build, assign, lease, make available, facilitate or transfer in any title, property to be used for the concealment of persons or the deposit or storage of belongings of such groups.

Paralyze, suspend or significantly diminish the fulfillment of their contractual obligations by complying with instructions from these groups.

Failure to comply with the duty to report punishable acts, the commission of which is attributable to these groups



140. In terms of public security, Amerisur had Memorandums of Understanding -MoU- with the Ministry of National Defense since 2013, so that, through the operational personnel of the Colombian Armed Forces, they would cooperate in the protection of civilians and infrastructure in Putumayo. These MoU's are governed by Resolution 5342 of 2014⁵⁷ issued by the Ministry of National Defense, which explicitly incorporates the Voluntary Principles of Security and Human Rights and fully comply with the Constitution and national laws regarding human rights and international humanitarian law. By acquiring Amerisur in January 2020, GeoPark has continued these agreements.

141. It emerges from the MoU's that the Armed Forces deployed under these agreements are proportionate to the threat posed to individuals and operations by the presence of illegal armed groups. But it is the National Army that determines the number of military personnel assigned to the protection and security of the community and people in the areas in which the company carries out its activities. Their presence is for the protection of all the inhabitants of the area, to guarantee and protect their human rights related to security.

142. The protection and security provided by public security forces under these MoU's may at no time violate human rights or international humanitarian law. The public security forces' main function is to maintain the rule of law and protect the rights of individuals, countering threats and attacks on persons, infrastructure, or facilities of Amerisur, following the nature of the Resolution.⁵⁸

143. Under regulations, the memorandums of understanding include contributions in money and in kind by companies that cannot be used for war or lethal elements in any event. Furthermore, Amerisur prioritized that the contributions be allocated to military welfare and contribute to the implementation of the human rights policy of the Defense Sector, particularly with regard to human rights training.

144. For its part, Amerisur monitored the actions of the Army and verified them within the framework of the MoU through the Coordination Committee, developed to, amongst others, ensure that the agreement does not affect engagement with communities.

4.3. Private Security

145. Since the arrival of GeoPark in January 2020 to operate the Amerisur blocks in Putumayo, there has been a contract with a private security company.⁵⁹ This contract includes human rights clauses, and personnel is not armed.⁶⁰ Since the company is monitored by Colombia's Superintendency of Private Security, it must operate under the Voluntary Principles on Security

⁵⁷ Ministry of National Defense, Resolution 5342 of 2014, p. 61.

⁵⁸ According to the Voluntary Principles, the fundamental role of public security must be to maintain the rule of law, including the safeguarding of human rights, countering acts of aggression that threaten the personnel and facilities of the Company.

⁵⁹ Contract signed between Amerisur Colombian Exploration Limited and Omnitempus Limited, Service Contract No. 6000006842.

⁶⁰ Ditto Clause 1; 16.3.



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and Human Rights and the Code of Conduct for Private Security Companies (ICoCA⁶¹), and in absolute respect for human rights and international humanitarian law.



⁶¹ View at International Code of Conduct Association, available in <https://icoca.ch/the-code/>. Accessed November 20, 2021.



146. Also, to enhance community participation in the area of influence of operations, members of the communities were hired as unskilled manual labor.

147. In order to achieve a healthy relationship between the private security personnel, the communities, and Government authorities of the intervened areas, the contracted security company must have extensive knowledge of GeoPark's Social Management Policy, implement it through its activities, and present a Social Management Plan that must contain at least: information and communication strategy towards the communities, a labor participation strategy, a strategy of participation in social projects, and a goods and services procurement strategy, all of which must be in accordance with corporate social responsibility standards towards the community and the State.

5. PARTNERSHIP BETWEEN UNDP AND GEO PARK

148. In the section "*UNDP-GeoPark 'United for Territorial Recovery' Partnership*," the Communication contains information received by the Special Procedures questioning an agreement signed between GeoPark and UNDP.

149. In line with Guiding Principle 21, in 2020, GeoPark publicly announced that it would seek to (i) strengthen ESG+ metrics with the SPEED program, (ii) continue to build strong relationships with neighbors and communities, and, specifically, (iii) "*partner with the United Nations Development Program to reduce social inequality in areas of influence.*"⁶²

150. Through GeoPark's social team, where a systematic engagement process is carried out, a social division of GeoPark engages constantly recurrent requests to support projects and productive associations was identified. Therefore, an agreement was sought with UNDP that would allow "*technical and financial efforts to implement a Comprehensive Economic Reactivation Strategy that would positively impact the quality of life of the inhabitants of three departments.*"

151. These types of collaborative processes have multiple positive aspects: they are part of the implementation of the Guiding Principles through engagement with multilateral organizations, they contribute to the enjoyment of human rights of the communities in the area of influence of the project, they denote action without harm and respect for human rights, they contribute to the SDGs, and they are part of the engagement process with all stakeholders, among other benefits.

152. It is appreciated that the Communication recognizes that the UNDP agreement sought to contribute to "*economic and inclusive territorial growth*" Likewise, the information received positively distinguishes "*that the project aimed to contribute to Sustainable Development Goals 1 and 10 – to overcome poverty and eradicate inequalities*".

⁶² See, GeoPark, Press Release: "GeoPark announces work program and investment guidelines for 2021!", available at https://www.geo-park.com/files/releases/GeoPark_2021_Work_Program_ESP_VF.pdf, last visit on November 20, 2021.



153. It is not for GeoPark to speak on behalf of UNDP. However, it is pertinent to make the following clarifications.

154. Within the social team's work through a constant engagement with neighboring communities, a recurrent request to support projects and productive associations was identified. The economy and well-being of families in the area could benefit from this type of support, not to mention that, with the pandemic, these types of requests have become more common.

155. Within the different associative forms that GeoPark establishes to better fulfill its commitment to respect human rights, the possibility of an agreement with UNDP arose. The agreement was to have benefited various villages in the area of La Rosa, La Alea, Seville, Monteverde, Peneya, Bajo Mansoyá, Camelias, Sinaí II Baldío, Kanacas, Quebradón, Sinaí Achapos, Jerusalem, Santa Isabel, Mansoyá 1, Las Acacias, Nariño, Cocaya and Ancura.

156. GeoPark and UNDP held meetings with the communities that would benefit from the Project and the local authorities of the areas, to provide information about it and, promote its contents.

157. The agreement was intended to “*promote sustainable development in Casanare, Meta and Putumayo*”.⁶³ To this end, the partnership allowed the pooling of “*technical and financial efforts to implement a Comprehensive Economic Recovery Strategy that will positively impact the quality of life of the inhabitants of three departments*”;⁶⁴ benefitting seven municipalities and more than 28 villages in Colombia, and focusing on the planning of initiatives related to:

- a) The strengthening of local capacities for the economic recovery process and the promotion of sustainable development through the development of analysis of socio-economic gaps and the design of action plans aimed at breaching them.
- b) The recovery and empowerment of local urban enterprises, with emphasis on the use of digital tools.
- c) The promotion of rural economic development through productive, technical, and commercial strengthening of enterprises and entrepreneurial organizations.⁶⁵

158. Likewise, the execution of each of the initiatives would be carried out “*in coordination with local government authorities, and representatives of neighboring communities of the Company's operations*”.⁶⁶

⁶³ See Geopark, UNDP sign 'United For Regional Recovery' Partnership, dated April 21, 2021, available at https://www.geopark.com/files/news/GEOPARK_UNDP_SIGN_UNITED_FOR_REGIONAL_RECOVERY_PARTNERSHIP.pdf. Accessed November 20, 2021.

⁶⁴ Ditto.

⁶⁵ Ditto.

⁶⁶ Ditto



159. The agreement was cancelled by UNDP, supposedly, due to false claims, especially one referring to the Company's links to illegal armed groups that are absolutely defamatory. Moreover, as already indicated this accusation endangers employees, contractors, suppliers and even the communities and authorities in the area of influence.

160. Despite this, GeoPark's commitment to developing this type of project remains intact.

161. With regards to the alleged lack of social and environmental impact assessment, it should be noted that the collaborative agreement established some objectives. In implementing these objectives, if a situation had arisen that required such an assessment, for example, because it was an activity subject to environmental licensing, an environmental impact study would have been carried out. The same goes for prior consultation. If any of the activities financed by the agreement had affected an indigenous community, that activity would clearly have to be the subject of prior consultation.

162. Notwithstanding, the decision was taken to sign the agreement, reflecting the interests of the neighboring communities; all Parties acted diligently at all times, trying to consult on the objectives of the agreement.⁶⁷

6. REPARATIONS

163. The Communication requests information from GeoPark regarding reparations for alleged adverse human rights impacts.⁶⁸ In this regard, the Company reiterates its commitment to respect human rights within the framework of the Guiding Principles. In line with this and under the same principles, it is GeoPark's duty to act without harm and with due diligence, which implies a prior assessment of activities to identify potential impacts and mitigate them, particularly with regard to social, human rights, and environmental impacts. Also, within the framework of this commitment, in the event of evidence of a serious impact on human rights that cannot be mitigated, arising as a direct consequence of the operations of the Company or from actions of contractors or service providers within the framework of their contract, and if the Company did not act with due diligence, reparations shall be made in a timely manner.

164. Based on the information and evidence provided in this document, GeoPark indicates that it has not generated adverse effects of seriousness or severity for the communities.

165. GeoPark appreciates, once again, the opportunity to present its version of events regarding the Communication received, and reiterates the invitation to engage through an open,

⁶⁷ See, Guiding Principle 18, b. Comment: "To assess the impact of their activities on human rights accurately, companies should seek to understand the concerns of potentially affected stakeholders by consulting them directly and taking into account the issue of language and other factors that may hinder effective communication."

⁶⁸ See Communication, request for information 6.



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respectful, and transparent dialogue with you and the communities that expressed these worries and concerns, as well as the invitation to visit the Corporation's operations.